

REMARKS

Applicant requests entry of an amendment to correct claim dependency of claim 5.

A notice of appeal was filed on December 27, 2006. No appeal brief has been filed. Accordingly, this amendment is made under 37 CFR 41.33(a).

The amendment is believed to comply with Rule 1.116, and in particular, Rule 1.116(b)(2) because it places claim 5 in better form for consideration on appeal by eliminating a latent §112 rejection, thereby reducing the number of issues on appeal.

Applicant requests prompt entry of the proposed amendment.

Now pending and on appeal are claims 1-3, 5, 6, 8, and 10-14, of which claims 1, 6, and 10 are independent. No additional fees are believed to be due in connection with the filing of this amendment. However, to the extent fees are due, or if a refund is forthcoming, please adjust our deposit account 06-1050, referencing attorney docket 11125-017001.

No extension under Rule 1.136 is believed to be necessary. However, to the extent an extension is deemed necessary, please consider this as a request for such extension and charge the extension fee to the above deposit account.

Respectfully submitted,

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